

SHB 1734 - S AMD 354

By Senators Mulliken, Kline

ADOPTED 04/17/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The intent of the adoption of the
4 International Building Code by the legislature is to remain consistent
5 with state laws regulating construction, including electrical,
6 plumbing, and energy codes established in chapters 19.27, 19.27A, and
7 19.28 RCW. The International Building Code references the
8 International Residential Code for provisions related to the
9 construction of single and multiple-family dwellings. No portion of
10 the International Residential Code shall supersede or take precedent
11 over provisions in chapter 19.28 RCW, regulating the electrical code;
12 nor provisions in RCW 19.27.031(4), regulating the plumbing code; nor
13 provisions in chapter 19.27A RCW, regulating the energy code.

14 (2) It is in the state's interest and consistent with the state
15 building code act to have in effect provisions regulating the
16 construction of single and multiple-family residences. It is the
17 legislative intent that the state building code council adopt the
18 International Residential Code through rule making granted in RCW
19 19.27.074, consistent with state law regulating construction for
20 electrical, plumbing, and energy codes, and other state and federal
21 laws regulating single and multiple-family construction.

22 (3) In accordance with RCW 19.27.020, the state building code
23 council shall promote fire and life safety in buildings consistent with
24 accepted standards. In adopting the codes for the state of Washington,
25 the state building code council shall consider provisions related to
26 fire fighter safety published by nationally recognized organizations.
27 The state building code council shall review all nationally recognized
28 codes as set forth in RCW 19.27.074.

29 (4) The legislature finds that building codes are an integral

1 component of affordable housing. In accordance with this finding, the
2 state building code council shall consider and review building code
3 provisions related to improving affordable housing.

4 **Sec. 2.** RCW 19.27.031 and 1995 c 343 s 1 are each amended to read
5 as follows:

6 Except as otherwise provided in this chapter, there shall be in
7 effect in all counties and cities the state building code which shall
8 consist of the following codes which are hereby adopted by reference:

9 (1) ~~((Uniform))~~ (a) The International Building Code ~~((and Uniform~~
10 ~~Building Code Standards))~~, published by the International ~~((Conference~~
11 ~~of Building Officials))~~ Code Council Inc.;

12 (b) The International Residential Code, published by the
13 International Code Council, Inc.;

14 (2) ~~((Uniform))~~ The International Mechanical Code, ((including
15 ~~Chapter 13, Fuel Gas Piping, Appendix B,))~~ published by the
16 International ~~((Conference of Building Officials))~~ Code Council Inc.,
17 except that the standards for liquified petroleum gas installations
18 shall be NFPA 58 (Storage and Handling of Liquified Petroleum Gases)
19 and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

20 (3) The ~~((Uniform))~~ International Fire Code ~~((and Uniform Fire Code~~
21 ~~Standards))~~, published by the International ~~((Fire Code Institute))~~
22 Code Council Inc., including those standards of the National Fire
23 Protection Association specifically referenced in the International
24 Fire Code: PROVIDED, That, notwithstanding any wording in this code,
25 participants in religious ceremonies shall not be precluded from
26 carrying hand-held candles;

27 (4) Except as provided in RCW 19.27.170, the Uniform Plumbing Code
28 and Uniform Plumbing Code Standards, published by the International
29 Association of Plumbing and Mechanical Officials: PROVIDED, That
30 ~~((chapters 11 and 12))~~ any provisions of such code affecting sewers or
31 fuel gas piping are not adopted; and

32 (5) The rules ~~((and regulations))~~ adopted by the council
33 establishing standards for making buildings and facilities accessible
34 to and usable by the physically ~~((handicapped))~~ disabled or elderly
35 persons as provided in RCW 70.92.100 through 70.92.160.

1 In case of conflict among the codes enumerated in subsections (1),
2 (2), (3), and (4) of this section, the first named code shall govern
3 over those following.

4 The codes enumerated in this section shall be adopted by the
5 council as provided in RCW 19.27.074. The council shall solicit input
6 from first responders to ensure that fire fighter safety issues are
7 addressed during the code adoption process.

8 The council may issue opinions relating to the codes at the request
9 of a local official charged with the duty to enforce the enumerated
10 codes.

11 **Sec. 3.** RCW 19.27.080 and 1990 c 33 s 555 are each amended to read
12 as follows:

13 Nothing in this chapter affects the provisions of chapters 19.27A,
14 19.28, 43.22, 70.77, 70.79, 70.87, 48.48, 18.20, 18.46, 18.51, 28A.305,
15 70.41, 70.62, 70.75, 70.108, 71.12, 74.15, 70.94, 76.04, 90.76 RCW, or
16 RCW 28A.195.010, or grants rights to duplicate the authorities provided
17 under chapters 70.94 or 76.04 RCW.

18 **Sec. 4.** RCW 19.27.110 and 1975-'76 2nd ex.s. c 37 s 1 are each
19 amended to read as follows:

20 Each county government shall administer and enforce the ((~~uniform~~))
21 International Fire Code in the unincorporated areas of the county:
22 PROVIDED, That any political subdivision or municipal corporation
23 providing fire protection pursuant to RCW 14.08.120 shall, at its sole
24 option, be responsible for administration and enforcement of the
25 ((~~uniform~~)) International Fire Code on its facility. Any fire
26 protection district or political subdivision may, pursuant to chapter
27 39.34 RCW, the interlocal cooperation act, assume all or a portion of
28 the administering responsibility and coordinate and cooperate with the
29 county government in the enforcement of the ((~~uniform~~)) International
30 Fire Code.

31 It is not the intent of RCW 19.27.110 and 19.27.111 to preclude or
32 limit the authority of any city, town, county, fire protection
33 district, state agency, or political subdivision from engaging in those
34 fire prevention activities with which they are charged.

1 It is not the intent of the legislature by adopting the state
2 building code or RCW 19.27.110 and 19.27.111 to grant counties any more
3 power to suppress or extinguish fires than counties currently possess
4 under the Constitution or other statutes.

5 Each county is authorized to impose fees sufficient to pay the cost
6 of inspections, administration, and enforcement pursuant to RCW
7 19.27.110 and 19.27.111."

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8 On page 1, line 1 of the title, after "codes;" strike the remainder
9 of the title and insert "amending RCW 19.27.031, 19.27.080, and
10 19.27.110; and creating a new section."

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